

Docket No.: 50024-024



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Seiichi BANBA	:	Confirmation Number: 9978
Application No.: 10/810,833	:	Group Art Unit: 2817
Filed: March 29, 2004	:	Examiner: Henry Choe
For: VARIABLE GAIN DIFFERENTIAL AMPLIFIER AND MULTIPLICATION CIRCUIT		

IPW
fee only

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of August 24, 2004, which set a three-month period for reply, and required an election of Species, Applicant hereby elects Species XI (Fig. 12, upon which claims 11-13 are readable) for prosecution in the above-identified application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including

2/02/2004 extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit
1-FC:1252

Adjustment date: 06/01/2005 SFELEKE1
12/02/2004 RGRADEN 00000001 500417 10810833
01 FC:1252 430.00 CR

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DEPT REF
DIVISION Room 807

Docket No.: 050024-0024

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In re Application of

Customer Number: 20277

Seiichi BANBA

Confirmation Number: 9978

Application No.: 10/810,833

Group Art Unit: 2817

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For: VARIABLE GAIN DIFFERENTIAL AMPLIFIER AND MULTIPLICATION CIRCUIT

REQUEST FOR REFUND

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A refund in the amount of \$430.00 is hereby requested in the above-identified application for the following reason:

A response to the August 24, 2004 Office Action, which had a 3-month response period (as evidenced by the Office Action Summary page attached), was timely filed on November 19, 2004, as evidenced by the date-stamped postcard attached. Since no extension fee was required, the fee of \$430.00 was erroneously charged December 2, 2004 under Control No. 1.

Please immediately credit Deposit Account number 500417 in this amount.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Arthur J. Steiner

Registration No. 26,106

Please recognize our Customer No. 20277 as our correspondence address.

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 AJS/lrd
Facsimile: 202.756.8087
Date: April 18, 2005

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Office Action Summary



10/810,833

BANBA, SEIICHI

Examiner

Art Unit

Henry K Choe

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/29/2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-18 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Applicant: Selich BANBA

Docket No. 50024-024

Title: VARIABLE GAIN DIFFERENTIAL AMPLIFIER AND MULTIPLICATION CIRCUIT

Serial/Reg./Patent No. 10/810,833

Date Sent 11/19/04

☒ Hand Carried

☐ Fax

☐ Electronic

☐ Cert. of Mailing

☐ First Class Mail

☐ Express Mail No. _____

☐ Transmittal Letter

New Patent App ☐

Utility ☐

Design ☐

Cont. ☐

CIP ☐

DW. ☐

PCT ☐

RCE ☐

Prov ☐

Other: _____

pages of Specification

pages of Claims

pages of Abstract

pages of Formal/Informal Drawings

Small Entity ☐

Large Entity ☐

Declaration/Power of Attorney

Recordation of Assignment/Security Agreement

Information Disclosure Statement

Form PTO 1449

copies of cited references

☐ Preliminary Amendment

☐ Response to Missing Parts Notice

☐ Resp. to Notice to Correct App. Papers

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

☒ Response/Amendment to Office Action of _____

☐ Request for _____ month Extension of Time

Check for \$ _____

☐ Charge Deposit Act. 5004173

Atty

Int.

GZR

Trp. #

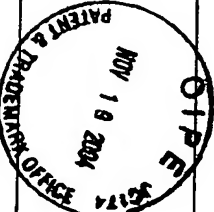
4234

Secy or PL: _____

LN: Marcetron

CMS Descrip: _____

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS CHECKED ABOVE WERE RECEIVED BY THE PTO ON THE DATE STAMPED.



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